



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 30895 of 2026

G.Gopi
S/o.Late Gopalan,
karattukadu, konasamudiram village, Edappadi
taluk, Salem District.

..Petitioner(s)

Vs

The Sub Registrar
Edappadi,
Salem District.

..Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Certiorarified mandamus calling for the records relating to the impugned check slip dated 10.07.2026 made in RFL/Edappadi/63/2026, quash the same and consequently to direct the respondent to register the settlement deed dated 09.07.2026 executed by the petitioner in favour of his mother Jayammal in respect of SF No.8/1G (10 CENTS), SF No.8/4G (9 Cents), SF No.8/6 (41 cents), SF No.49/8(28 1/2 cents), SF No.49/11 (2 1/2 cents), SF No.49/13 (1 cent), SF No.58/9 (58 cents), SF No.61/1 (44 1/2 cents), SF No.61/6(40 cents), SF No.61/10 (16 cents) SF No.61/15 (7 1/2 cents) and SF No.61/19 (64 cents), totally 3.22 acres in konasamudiram village, edappadi taluk, salem district.

For Petitioner(s):

Mr.D.Keerthi Rajan for Mr.N.Manoharan

For Respondent(s):

Ms.Anu Ganesan, Additional Government Pleader



Order

This Writ Petition has been filed against the impugned Refusal Check Slip dated 10.07.2026, whereby the respondent refused to register the Settlement Deed dated 09.07.2026 executed by the petitioner in favour of his mother.

2. The learned counsel appearing for the petitioner submitted that the subject properties were purchased by the petitioner's father and his paternal uncle, R. Govindan, under a Sale Deed dated 19.11.1991, and the revenue records have also been mutated. During the lifetime of his paternal uncle, the uncle had executed a Will dated 05.02.2013 in favour of the petitioner, bequeathing his share in the subject property; as for his father's share, the petitioner succeeded to it after his father's demise. Thereby, the petitioner became the absolute owner of the subject properties and is in continuous possession and enjoyment of the same. While things stood thus, the petitioner executed a Settlement Deed dated 09.07.2026 in favour of his mother and presented the same for registration before the respondent. However, the respondent issued the impugned Refusal Check Slip dated 10.07.2026, refusing to register the Settlement Deed on the ground that the Will dated 05.02.2013 was not proved before a Civil Court. Aggrieved by the same, the petitioner has approached this Court.



3. The learned Additional Government Pleader appearing for the respondent submitted that since the above said Will is unregistered, the title to the property is unclear, and hence, the respondent refused to register the Settlement Deed. However, she further submitted that if the document is re-presented, the respondent will register the same in accordance with law.

4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case, this Court is of the view that the rejection of registration merely on the ground that the Will is unregistered, as submitted by the learned Government Counsel, is improper. The respondent can very well conduct an enquiry into the entitlement of the petitioner and further, there is no dispute from third parties regarding the title of the property. Therefore, the impugned order is liable to be quashed.

6. In view of the above, the impugned order passed by the respondent dated 10.07.2026 is quashed, and the petitioner is directed to re-present the Settlement Deed dated 09.07.2026 for registration. Upon receipt of the same, the respondent is directed to register the Settlement Deed forthwith, as the registration of a Will is not mandatory. Furthermore, the petitioner, being the sole beneficiary of the Will, has voluntarily chosen to settle the property in favour of his mother; therefore, there is no impediment for the respondent to register the Settlement Deed.



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7. Accordingly, this Writ Petition stands disposed of with the above directions. No costs.

06-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SK

To
The Sub Registrar
Edappadi,
Salem District.



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KRISHNAN RAMASAMY J.

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